IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 3577 of 2007

Date of Decision : 09.03.2007

Dr. Ashu Deep Rupa and others ... Petitioners

Versus

State of Punjab and others. .. Respondents

CORAM : HON'BLE MR. JUSTICE J.S. KHEHAR,
HON'BLE MR. JUSTICE S.D. ANAND.

Present : Mr. R.K. Malik, Advocate,
for the petitioners.

J.S. Khehar, J. (Oral)

The petitioners who are inducted into the service of the Health Department, Punjab, contend that they had not been paid annual grade increments ever since their induction into service. The petitioners, therefore, claim a writ in the nature of mandamus so as to require the respondents to pay the petitioners annual grade increments with effect from the date of their entry into service. To claim the aforesaid benefits, the petitioners are stated to have addressed a representation dated 12.11.2006 (Annexure P-5) to the respondents. It is, however, pointed out that no decision has been taken thereon till date. Learned counsel for the petitioners states, that the petitioners will be satisfied, if the instant writ petition is disposed of, with a direction to respondent No.3 i.e. the Director, Health and Family Welfare, Punjab, requiring him to take a final decision on their representation dated 12.11.2006 (Annexure P-5).

Notice of motion.

On our asking, Mr. Ashok Aggarwal, Additional Advocate

General, Punjab, accepts notice on behalf of respondent Nos. 1 to 9. Learned counsel for the respondents states, that he has no objection to the disposal of the instant writ petition in terms of the prayer made by the learned counsel for the petitioners.

In view of the above, without going into the merits of the claim raised by the petitioners, we consider it just and appropriate to dispose of the instant writ petition by directing respondent No.3 i.e. the Director, Health and Family Welfare, Punjab, to take a final decision on their representation dated 12.11.2006 (Annexure P-5) by passing a well reasoned speaking order, within two months from the date of receipt of a certified copy of this order. It would be appreciated if while passing the aforesaid order, respondent No.3 takes into consideration the decision rendered by this Court in Dr. Ravinder Singh and others versus State of Punjab and others (Civil Writ Petition No. 7288 of 2005, decided on 11.05.2006), as well as, any other relevant judgment on the point, before passing the aforestated order.

In case, the petitioners are found entitled to any monetary benefits, the same shall be calculated and released to the petitioners within a further period of one month.

Disposed of accordingly.

Order dasti on payment of usual charges.

(J.S. Khehar)
Judge

March 09, 2007 (S.D. Anand)
vkd Judge